



JFL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobumasa SUZUKI et al. Group Art Unit : 3733
 Appl. No. : 10/659,302 Examiner : R. Shaffer
 Filed : September 11, 2003 Confirmation No. : 3567
 For : ROD FIXING APPARATUS FOR VERTEBRA CONNECTING MEMBER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop AMENDMENT
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and supplemental to the Information Disclosure Statements previously filed, Applicants hereby bring to the attention of the Examiner a Japanese Notification of Reasons for Refusal that was mailed on August 14, 2007, with respect to patent family member Japanese Patent Application No. 2002-267298, in which the following documents were cited:

- (1) Japanese Patent Publication No. JP 2001-245896 A, together with an English language Abstract.

The relevance of this document, as ascertained with respect to the Japanese claims by the Japanese Examiner, is set forth in the Japanese Notification of Reasons for Refusal.

Applicants respectfully request that the Examiner consider the above material and cite the same. A copy of the above-noted document is attached hereto, and is listed on an attached Form

09/12/2007 DEMMANU1 00000038 10659302

01 FC:1806

180.00 0P

PTO-1449. Copies of the Japanese Notification of Reasons for Refusal and an English language translation thereof are also attached hereto. The Examiner is requested to initial the appropriate spaces on the attached Form, and to return a copy of the completed Form to Applicants with the next official communication in the present application.

Since this Supplemental Information Disclosure Statement is being submitted subsequent to the issuance of a Final Rejection, Applicants have included herewith payment in the amount of \$180.00 to cover the fee set forth in 37 C.F.R. § 1.17 (p), and Applicant has provided below a Statement Under 37 C.F.R. § 1.97(e). However, the Commissioner is hereby authorized to charge payment of any necessary additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

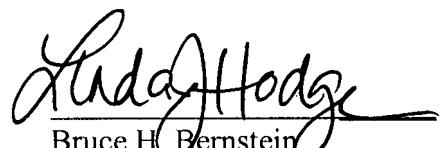
Statement Under 37 C.F.R. 1.97(e)

In accordance with 37 C.F.R. 1.97(e), the undersigned hereby states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Of course, this statement does not apply to information that has previously been cited by Applicant or the Examiner in the present application as that information is already of record and no certification is necessary.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Nobumasa SUZUKI et al.

Linda J. Hodge
Reg. #47,348



Linda J. Hodge
Bruce H. Bernstein
Reg. No. 29,027

September 7, 2007
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.